

REMARKS

The Examiner is thanked for the thorough examination of the present application. The Office Action, however, has tentatively rejected all claims 1-12. In response, Applicant has amended independent claim 9. Claims 1, 5, and 9 are the independent claims, and all claims 1-12 remain pending in the application. For at least the following reasons, it is submitted that this application is in condition for allowance.

The Office Action objected to claim 9 for certain informalities. In response, Applicant has made cosmetic or editorial amendments to claim 9 to address and overcome the noted informalities. Accordingly, the objections to claim 9 should be withdrawn.

Turning now to the substance of the Office Action, the Office Action rejected claims 1, 3-6, 8, 9, 11 and 12 as allegedly anticipated by *Chang*, U.S. Patent No. 4,886,979. Applicant respectfully requests that these rejections be withdrawn for at least the following reasons.

Applicant's independent claim 1 is directed to a power line for connecting a monitor and a power supply of a computer. The claim specifically recites:

1. A power line for connecting a monitor and a power supply of a computer, the monitor having a first power port, and the power supply having a second power port, **the power line comprising:**
a main body with a first end and a second end;
a first connector disposed on the first end of the main body; and
a second connector disposed on the second end of the main body,
wherein the monitor is supplied with a direct current (DC) from the power supply of the computer after the first connector is plugged into the first power port of the monitor **and the second connector is plugged into the second power port so as to electrically connect the first power port of the monitor with the second power port of the power supply via the power line.**

(*Emphasis added.*) Claim 1 patently defines over the cited Chang reference for at least the reasons that Chang fails to disclose the features emphasized above.

In contrast to the claimed embodiment, *Chang* discloses a power source device comprising a first power source means CN1 electrically disposed in a monitor MN3, which is functionally coupled with a host computer PC3 through signal line SG3, and a second power source means CN2 electrically disposed in the host computer PC3 for being electrically connected with the first power source means CN1. The second power source means CN2 includes a 4-pin connecting component PW disposed in the host computer PC3, a monochrome type of host computers, with output terminals 41 and 42 electrically connected to the internal switching power supply available in the host computer PC3 and input terminals 43 and 44 connected to a socket S2, which is fixed in the housing unit of the host computer PC3 through a metal anchoring plate K. By connecting the plug S1 to the socket S2, the DC power source will be directly supplied to the monitor MN3 from the host computer PC3.

The Office Action appears to misunderstand that the portion between terminals 41&42 and 43&44 within second power source means CN2, the socket S2 and the 4-pin connecting component PW in *Chang* are the main body, the first connector and the second connector of the power line. In fact, the portion between terminals 41&42 and 43&44 within second power source means CN2, the socket S2 and the 4-pin connecting component PW, all of which are parts of CN2 (Fig. 4), is **disposed** in the host computer PC3 (lines 65-66, col. 2). Also, The socket S2 is **fixed** to the computer, "a socket S2, which is fixed in the housing unit of the host computer PC3" (lines 27-28, col. 3.) In contrast, the power line as claimed in claim 1 is an **independent** device from the computer (see e.g., FIG. 2B). In addition, CN2 is a power source means (lines 65-66, col. 2.) In contrast, the power line of this application functions to connect the monitor and the power supply of a computer. The monitor is supplied with a direct current from the power supply of the computer. Hence, in contrast to the embodiments recited in

claim 1, the *Chang* reference does not disclose or suggest a power line which functions to connect the monitor and the power supply of a computer, and one that is independent from the computer

For at least the foregoing reasons, independent claim 1 and dependent claims 2-4 have not been anticipated by *Change*. Further, independent claims 5 and 9, which includes defining limitations similar to those of claim 1, as well as the claims 6-8 and claims 10-12 dependent therefrom respectively, patently defines over the cited art as well. It is requested that this rejection be withdrawn.

The Office Action also rejected claims 2, 7, and 10 as allegedly unpatentable over *Chang* as applied to claims 1, 5, and 9 above, and further in view of Milan, U.S. Patent No. 6, 905, 374. It is noted that the host computer of *Chang* belongs to the **monochrome type of host computer** (see lines 19-21, col. 3 in *Chang*). However, the power line of the claimed embodiments is to connect the computer and the LCD monitor, which is a **multi-color display**. The monochrome type of host computer in *Chang* **is non-analogous art**. For the reason stated above, it is respectfully submitted that claims 2, 7, and 10 are patentable over *Chang* -Milan system. It is requested that this rejection be withdrawn.

As a separate and independent basis for the patentability of claims 2, 7, and 10, Applicant respectfully traverses the rejections as failing to identify a proper basis for combining the cited references. In combining these references, the Office Action stated only that the combination would have been obvious “as 12V is a standard output.” (Office Action, page 6). This alleged motivation is clearly improper in view of well-established Federal Circuit precedent.

It is well-settled law that in order to properly support an obviousness rejection under 35 U.S.C. § 103, there must have been some teaching in the prior art to suggest to one skilled in the art that the claimed invention would have been obvious. W. L. Gore & Associates, Inc. v. Garlock Thomas, Inc., 721 F.2d 1540, 1551 (Fed. Cir. 1983). More significantly,

"The consistent criteria for determination of obviousness is whether the prior art would have suggested to one of ordinary skill in the art that this [invention] should be carried out and would have a reasonable likelihood of success, viewed in light of the prior art. ..." Both the suggestion and the expectation of success must be founded in the prior art, not in the applicant's disclosure... In determining whether such a suggestion can fairly be gleaned from the prior art, the full field of the invention must be considered; for the person of ordinary skill in the art is charged with knowledge of the entire body of technological literature, including that which might lead away from the claimed invention."

(Emphasis added.) In re Dow Chemical Company, 837 F.2d 469, 473 (Fed. Cir. 1988).

In this regard, Applicant notes that there must not only be a suggestion to combine the functional or operational aspects of the combined references, but that the Federal Circuit also requires the prior art to suggest both the combination of elements and the structure resulting from the combination. Stiftung v. Renishaw PLC, 945 Fed.2d 1173 (Fed. Cir. 1991). Therefore, in order to sustain an obviousness rejection based upon a combination of any two or more prior art references, the prior art must properly suggest the desirability of combining the particular elements to derive a monitor, as claimed by the Applicant.

When an obviousness determination is based on multiple prior art references, there must be a showing of some "teaching, suggestion, or reason" to combine the references. Gambro Lundia AB v. Baxter Healthcare Corp., 110 F.3d 1573, 1579, 42 USPQ2d 1378, 1383 (Fed. Cir. 1997) (also noting that the "absence of such a suggestion to combine is dispositive in an obviousness determination").

Evidence of a suggestion, teaching, or motivation to combine prior art references may flow, inter alia, from the references themselves, the knowledge of one of ordinary skill in the art, or from the nature of the problem to be solved. See In re Dembiczak, 175 F.3d 994, 1000, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). Although a reference need not expressly teach that the disclosure contained therein should be combined with another, the showing of combinability, in whatever form, must nevertheless be “clear and particular.” Dembiczak, 175 F.3d at 999, 50 USPQ2d at 1617.

If there was no motivation or suggestion to combine selective teachings from multiple prior art references, one of ordinary skill in the art would not have viewed the present invention as obvious. See In re Dance, 160 F.3d 1339, 1343, 48 USPQ2d 1635, 1637 (Fed. Cir. 1998); Gambro Lundia AB, 110 F.3d at 1579, 42 USPQ2d at 1383 (“The absence of such a suggestion to combine is dispositive in an obviousness determination.”).

Significantly, where there is no apparent disadvantage present in a particular prior art reference, then generally there can be no motivation to combine the teaching of another reference with the particular prior art reference. Winner Int'l Royalty Corp. v. Wang, No 98-1553 (Fed. Cir. January 27, 2000). The rationales relied on by the Office Action in the present application are merely generic statements, that have nothing to do specifically with the structures disclosed in the other references. As such, these rationales cannot be properly viewed as proper motivations for combining the specific teachings of the individual references. Indeed, the generic motivations advanced by the present Office Action could be used to support a combination of ANY references, which is clearly contra to the cited Federal Circuit precedent and the clear intent of 35 U.S.C. § 103.

For at least the additional reason that the Office Action failed to identify proper motivations or suggestions for combining the various references to properly support the rejections under 35 U.S.C. § 103, those rejections should be withdrawn.

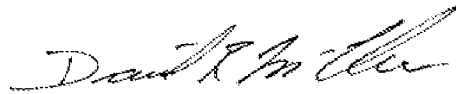
It is submitted that this application is in condition for allowance. Such action, and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of the application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

By:



Daniel R. McClure
Registration No. 38,962

Thomas, Kayden, Horstemeyer & Risley, LLP
100 Galleria Pkwy, NW
Suite 1750
Atlanta, GA 30339
770-933-9500